

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

December 16, 2008

3:30 P.M. SCHEDULED SESSION

3:38 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Myron Lowery

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Rabbi Yirmiya Milevsky from The Young Israel. Councilman Strickland presented Rabbi Milevsky with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

1. RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF OLIVE STREET FOR REVEREND DR. VAN FORD, JR.

MOTION: Fullilove

SECOND: Brown

APPROVED, by unanimous voice vote

44. RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTHSIDE OF BICKFORD AVENUE; +116 FEET WEST OF N. SEVENTH AVENUE, CONTAINING 1.13 ACRES IN THE MODERATE DENSITY RESIDENTIAL (MDR) DISTRICT.

Case No. UV 08-10

Applicant: Oasis of Hope, Inc. (Terry Hoff)/April Woods Apartments II, L.P.
(Carl Mabry)
Carl Mabry – Representative

Request: Amend the prior Use Variance (U.V. 06-14) to permit the re-location
of the parking lot from Fifth Street to Seventh Street

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Hedgepeth
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

26. **ORDINANCE TO AMEND PREVIOUS ORDINANCE NO. 4388, CODIFIED AS CITY CODE, TITLE 6, CHAPTER 6-92, SECTION 6-92-1, ET SEQ., SO AS TO REVISE SECTION 6-92-11, SUBSECTION (A) TO ALLOW SAID TITLE 6, CHAPTER 6-92 TO REMAIN IN FULL AND EFFECT UNTIL JUNE 30, 2009, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5287

MOTION: Flinn
SECOND: Collins
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

2. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF S. PERKINS ROAD; +/-241 FEET NORTH OF SPOTTSWOOD AVENUE, CONTAINING 1.35 ACRES AND IS CURRENTLY GOVERNED BY P.D. 00-333.**

Case No. PD 08-322

Applicants: Frank N. Stanley, III & Harry Day
Farris, Bobango, Branan, PLC-Homer Branan, III – Representative

Request: Planned development amendment to allow a restaurant with a
maximum seating capacity of seventy-five(75) seats

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Flinn
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF TOURNAMENT DRIVE; +1,070 FEET WEST OF HACKS CROSS ROAD, CONTAINING 27.4 ACRES IN THE AGRICULTURAL FLOOD PLAIN (AG{FP}) DISTRICT.**

Case No. PD 08-323

Held to January 6, 2009

4. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHWEST CORNER OF MULBERRY STREET AND TALBOT STREET, CONTAINING 0.30 ACRE IN THE SOUTH MAIN (SM) AND HISTORIC PRESERVATION [HP] DISTRICTS.**

Case No. PD 08-325

Applicant: Michael Kisber
Ron Harkavy – Representative

Request: A Planned Development to permit the storage of classic automobiles in the existing building; and setup an area for future development as mixed use commercial, office and/or residential

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Hedgepeth
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTHEAST CORNER OF MILLBRANCH ROAD AND KILARNEY AVENUE, CONTAINING 1.64 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT.**

Case No. SUP 08-222

Applicant: Alex & Irene Howard

Request: Site Plan Revision for Day Care Center

LUCB and OPD recommendation: APPROVAL

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED, as amended in Committee

6. **RESOLUTION REQUESTING THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT TO ASSIST THE UNIVERSITY NEIGHBORHOODS DEVELOPMENT CORPORATION IN THE DEVELOPMENT OF AN OVERLAY ZONING DISTRICT IN THE UNIVERSITY DISTRICT.**

MOTION: Hedgepeth

SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED

CONSENT AGENDA – Items 7-12 may be acted upon by one motion: SEE PAGE 2746 FOR ROLL CALL

7. **ORDINANCE REZONING THE SOUTH SIDE OF OVERTON PARK AVENUE; +114.58 FEET WEST OF HAWTHORNE STREET, CONTAINING 0.3932 ACRE IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5290

Case No. Z 08-116

APPROVED, on First reading

8. **ORDINANCE REZONING THE WEST SIDE OF WARFORD STREET; ±151 FEET NORTH OF HEARD AVENUE, CONTAINING 13.74 ACRES IN THE VACANT LAND AREA ~ LOCAL COMMERCIAL (C-L) DISTRICT, UP FOR S E C O N D READING.**

Ordinance No. 5289

Case No. Z 08-112

APPROVED, on Second reading

9. **RESOLUTION APPROVING BELWIN CENTER C-P, PHASE 8, AND AUTHORIZING RELEASE OF BOND.**

Case No. Z 95-143
(Contract No. CR-5100)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the north side of Winchester Rd., east of Elvis Presley Blvd. The standard improvement contract was approved on November 6, 2007. Resolution also authorizes the release of the letter of credit in the amount of \$59,600.00.

City Engineer recommends approval

APPROVED

10. **RESOLUTION ACCEPTING DAVIES MANOR SUBDIVISION, AND AUTHORIZING RELEASE OF BOND.**

Case No. S 05-007cc
(Contract No. CR-4978)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southwest corner of Davies Plantation Road and Davies Manor Drive. The standard improvement contract was approved on 10/11/2005. Resolution also authorizes the release of the performance bond in the amount of \$185,000.00. This action is subject to County approval.

City Engineer recommends approval

APPROVED

11. **RESOLUTION APPROVING FINAL PLAT OF PERIMETER PARK SUBDIVISION.**

Case No. S 07-008

Resolution approves the final plat located on the northside of I-240, west of Getwell Road. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

12. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. SAC 08-610 – Linden Avenue Alley Closure
- B. Case No. PD 08-315 – Gameday Sportsplex P.D.

Public Hearing set for January 6, 2009

ROLL CALL CONSENT ITEMS

MOTION: Collins
SECOND: Morrison
AYES: Boyd, Collins, Conrad, Halbert, Hedgepeth, Morrison, Ware and Chairman
Lowery
Brown, Flinn, Ford, Fullilove and Strickland did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 13-23 may be acted upon by one motion:

13. **RESOLUTION AWARDDING CONTRACT NO. 11300, DRILLED PIER FOUNDATION INSTALLATION SUBSTATION 86 CUT-IN, TO MCKINNEY DRILLING IN THE FUNDED AMOUNT OF \$191,130.00.**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 8 TO CONTRACT NO. 10858, ALL RISK PROPERTY INSURANCE, WITH FACTORY MUTUAL INSURANCE IN THE FUNDED AMOUNT OF \$92,323.00.**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 10976, LINE CLEARANCE, WITH BEAN AND PRINCE CONTRACTORS, INC. IN THE FUNDED AMOUNT OF \$1,496,826.80. (THIS RENEWS THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, DECEMBER 23, 2008 TO DECEMBER 24, 2009.)**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 7 TO CONTRACT NO. 11018, TRASH REMOVAL SERVICES, WITH WASTE CONNECTIONS, INC. IN THE FUNDED AMOUNT OF \$155,414.08. (THIS RENEWS THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, JANUARY 1, 2009 TO DECEMBER 31, 2009.)**

APPROVED

17. **RESOLUTION AWARDDING CONTRACT FOR SIX COUPLING CAPACITOR VOLTAGE TRANSFORMERS TO AREVA/RITZ IN THE AMOUNT OF \$35,880.00.**

APPROVED

18. **RESOLUTION AWARDING CONTRACT FOR ONE DIRECTIONAL BORING SYSTEM TO VERMEER MID-SOUTH IN THE AMOUNT OF \$241,720.00.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT FOR TWO CARGO MINI-VANS TO CARDINAL CHRYSLER JEEP DODGE IN THE AMOUNT OF \$35,272.30.**

APPROVED

20. **RESOLUTION AWARDING CONTRACT FOR APPROXIMATELY 1,500 GAS SERVICE ASSEMBLY RISERS TO CGS, INC. IN THE AMOUNT OF \$243,030.00 APPROXIMATELY.**

APPROVED

21. **RESOLUTION AWARDING CONTRACT FOR 10 SUBSTATION CAPACITOR BANKS TO WESCO DISTRIBUTION, INC. IN THE AMOUNT OF \$661,288.00.**

APPROVED

22. **RESOLUTION AWARDING CONTRACT FOR VACUUM EXCAVATION SYSTEMS AS FOLLOWS:**

Ditch Witch Mid-South.....	\$35,960.24
Vermeer Mid-South.....	<u>31,800.00</u>
Total.....	<u>\$67,760.24</u>

APPROVED

23. **RESOLUTION RECOMMENDING THE APPROVAL TO OFFER A SALARY OF UP TO \$150,000.00 ANNUALLY FOR THE POSITION OF VICE PRESIDENT, HUMAN RESOURCES.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Ware
SECOND: Collins
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED

24. APPOINTMENTS**Memphis and Shelby County Airport Authority****Reappointment**

John W. Stokes, Jr.

MOTION: Flinn

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED**25. ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 4159, EXTENDING THE FRANCHISE ORDINANCE, AS AMENDED, THROUGH JUNE 16, 2009, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5286

MOTION: Lowery

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery
Flinn and Hedgepeth did not cast a vote

APPROVED**27. ORDINANCE TO ESTABLISH MEETING DATES FOR CITY COUNCIL MEETINGS IN 2009, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5288

MOTION: Lowery

SECOND: Boyd

AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery
Brown, Flinn and Hedgepeth did not cast a vote

APPROVED**28. RESOLUTION APPROPRIATING \$900,000.00 FOR THE FY 09 CIP PROJECT ORACLE HUMAN RESOURCE MANAGEMENT SYSTEM POSITION CONTROL.**

MOTION: Collins

SECOND: Ford

AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Lowery
Brown, Flinn and Hedgepeth did not cast a vote

APPROVED

29. **RESOLUTION APPROPRIATING \$1,500,000.00 FOR THE FY09 CIP PROJECT TRAFFIC VIOLATION SYSTEM.**

MOTION: Collins
SECOND: Morrison
AYES: Boyd, Collins, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
Brown, Conrad and Flinn did not cast a vote

APPROVED

30. **RESOLUTION AMENDING THE FY 2009 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING \$323,160.00 FUNDS FROM FIRE STATION REPAIR, PROJECT NUMBER FS02001 TO FIRE STATION #22, PROJECT NUMBER FS02010. THE RESOLUTION ALSO APPROPRIATES \$3,323,160.00 FUNDED BY G.O. BONDS-GENERAL IN FIRE STATION #22, PROJECT NUMBER FS02010. CONTRACT CONSTRUCTION.**

MOTION: Hedgepeth
SECOND: Morrison
AYES: Boyd, Collins, Conrad, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
Brown and Flinn did not cast a vote

APPROVED

31. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY, LOCATED AT HALE AND TILLMAN IN THE BINGHAMPTON AREA, IN THE AMOUNT OF \$1.00. 19 PARCELS TO LAKEVIEW ESTATES, LP.
(03702900002) (03702900003) (03702900004) (03702900005) (03702900008)
(03702900009) (03702900010) (03702900011) (03703200005) (03703200006)
(03703200007) (03703200010) (03703200011) (03703200012)(03703200013)
(03703200014) (03703200015) (03703200017) (03703200018) (Held from 12/2)**

Director of Housing and Community Development recommends approval

MOTION: Ford
SECOND: Morrison
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

NAYS: Collins
Halbert abstained
Brown did not cast a vote

APPROVED

32. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT TCHULAHOMA (07308800108) IN THE SOUTH MEMPHIS AREA TO LIVE LIFE DEVELOPMENT LLC IN THE AMOUNT OF ONE DOLLAR (\$1.00).** (Held from 12/2)

Director of Housing and Community Development recommends approval

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
Halbert abstained

APPROVED

33. **RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY LOCATED AT 935 LEATH (00270120006), 955 LEATH (02701200019), 965 LEATH (02701000027), 963 LEATH (02701000028), 953 LEATH (02701200002), 947 LEATH (02701200003) AND 943 LEATH (02701200004), IN THE NORTH MEMPHIS AREA TO LIVE LIFE DEVELOPMENT LLC IN THE AMOUNT OF ONE DOLLAR (\$1.00).** (Held from 12/2)

Director of Housing and Community Development recommends approval

MOTION: Ford
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
Halbert abstained
Flinn did not cast a vote

APPROVED

34. **RESOLUTION INCLUDING ZOO MAJOR MAINTENANCE, CIP PROJECT NUMBER PK09002, AS PART OF THE FY 2009 CAPITAL IMPROVEMENT PROGRAM. THE CITY OF MEMPHIS HAS ENTERED INTO AN AGREEMENT WITH THE MEMPHIS ZOOLOGICAL SOCIETY WHICH PROVIDES FOR THE USE AND PAYMENT OF THE CURRENT AND FUTURE CAPITAL APPROPRIATION. THE RESOLUTION SEEKS TO APPROPRIATE \$250,000.00 IN CONSTRUCTION FUNDS, FUNDED BY G.O. BONDS GENERAL.**

MOTION: Strickland
SECOND: Hedgepeth
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison,
Strickland, Ware and Chairman Lowery
Brown did not cast a vote

APPROVED

35. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR THE POLICE ACADEMY RENOVATIONS, CIP PROJECT NUMBER PD01006, AS PART OF THE FY 09 CAPITAL IMPROVEMENT PROGRAM AT AN ESTIMATED CONSTRUCTION COST OF \$600,000.00 FUNDED BY G.O. BONDS GENERAL.**

MOTION: Strickland
SECOND: Halbert
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

36. **RESOLUTION APPROVING THE COMPLETION OF PLANS AND SPECIFICATIONS AND TAKING OF BIDS FOR THE CRUMP STATION, CIP PROJECT NUMBER PD04013, AS PART OF THE FY 09 CAPITAL IMPROVEMENT PROGRAM AT AN ESTIMATED CONSTRUCTION COST OF \$4,032,000.00 FUNDED BY G.O. BONDS GENERAL.**

MOTION: Hedgepeth
SECOND: Ford
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth,
Morrison, Strickland, Ware and Chairman Lowery

APPROVED

37. **RESOLUTION APPROVING A LEASE AGREEMENT WITH DELINE FARMS PARTNERSHIP AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON OCTOBER 16, 2008.**

Contract No. CR-5130

MOTION: Collins
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison,
Strickland, Ware and Chairman Lowery
Hedgepeth did not cast a vote

APPROVED

38. **RESOLUTION APPROPRIATING \$39,775.00 (50% OF \$79,550.00 OF CONTRACTS AWARDED) FOR FISCAL YEAR 2009 CIP PROJECT #PS02022 CONVENTION CENTER OVERHAUL HVAC. THIS RESOLUTION FUNDS REFURBISHES SEVEN CRITICAL HVAC PUMPS THAT SUPPLY THE CENTER WITH HEATING AND AIR CONDITIONING.**

MOTION: Collins
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED

39. **RESOLUTION AMENDING THE FY 2009 OPERATING BUDGET TO INCREASE THE CHARGES FOR SERVICES ESTABLISHED FOR THE STATE OF TENNESSEE HIGHWAY MAINTENANCE CONTRACT DUE TO A RATE INCREASE OF \$56,461.66. RESOLUTION ALSO APPROPRIATES FUNDS FOR SERVICES PROVIDED BY CITY OF MEMPHIS DIVISIONS OF PUBLIC WORKS (\$11,500.89), ENGINEERING (\$33,456.88) AND COMMUNITY ENHANCEMENT (\$11,500.89) FOR A TOTAL AMOUNT OF \$56,461.66.**

MOTION: Morrison
SECOND: Ford
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Ware and Chairman Lowery
Hedgepeth and Strickland did not cast a vote

APPROVED

40. **RESOLUTION AMENDING THE FISCAL YEAR 2009 O&M BUDGET TO APPROPRIATE A ONE-TIME, GRATUITOUS, NON-RECURRING APPROPRIATION OF \$2.4 MILLION FOR MEMPHIS CITY SCHOOLS TO ASSIST WITH THE FUNDING NEEDS OF MEMPHIS LITERACY CORP AND THE SUMMER READING CLINIC. (Held from 11/4;11/18; 12/2)**

MOTION: Halbert
SECOND: Brown
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Ware and Chairman Lowery
NAYS: Strickland
Hedgepeth abstained

APPROVED

41. **RESOLUTION REQUESTING HUMAN RESOURCES IN CONJUNCTION WITH POLICE SERVICES TO PROVIDE INCENTIVES FOR POLICE RECRUITMENT.**

MOTION: Halbert – Table for two weeks and send back to Ad Hoc Committee
SECOND: Ware
AYES: Brown, Halbert and Ware
NAYS: Boyd, Collins, Conrad, Flinn, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Lowery
Ford abstained

FAILED, set up as Special Item #1

Friendly Amendment: Take out the bonus portion and give the Relocation Expenses and Loan Forgiveness to the Officers

MAIN MOTION: Hedgepeth
SECOND: Morrison

Councilman Morrison accepted this Friendly Amendment. This was his proposal

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
NAYS: Brown and Halbert

APPROVED, as amended

42. **RESOLUTION ACCEPTING RECOMMENDATIONS OF THE FINANCIAL AGREEMENTS AD HOC COMMITTEE TO TERMINATE THE CONTRACT BETWEEN THE CITY OF MEMPHIS AND THE COUNTY OF SHELBY FOR THE OPERATION OF THE MEMPHIS & SHELBY COUNTY HEALTH DEPARTMENT AND REQUESTS THE ADMINISTRATION TO SEND NOTICE TO SHELBY COUNTY GOVERNMENT BY DECEMBER 31, 2008.**

MOTION: Halbert
SECOND: Collins
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman Lowery
Brown and Ware did not cast a vote

APPROVED

43. **RESOLUTION TO ACCEPT AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF \$4 MILLION FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO REDUCE LEAD-BASED PAINT HAZARDS.**

The Chairman recognized the following person who spoke from the audience:

Minister Suhkara Yahweh, 775 Porter St., Mphs, TN 38126

MOTION: Ford
SECOND: Strickland
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 2, 2008 with the following motion:

MOTION: Morrison – Pull Item #2, Ordinance #5284, Payday Loan Establishment and Title Loan Establishments from the minutes and send it back to Committee on January 6, 2009 and back on the agenda

Chairman Lowery stated that without objection, the item will go back to Committee and back on the full agenda

MAIN MOTION: Conrad
SECOND: Ford
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Lowery
Brown did not cast a vote

APPROVED, as amended

MINUTES

Approval of the Minutes of the regular meeting of December 16, 2008 for Items 26, 31, 32, 33, 42, 43, and 44 only with the following motion:

MOTION: Ware
SECOND: Collins
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Lowery
Brown, Halbert and Hedgepeth did not cast a vote

APPROVED, set up as Special Item #2

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

The Chairman recognized the following person who spoke from the audience

Minister Curtis Powell, 1130 S. Wellington, Mphs, TN 38126
Walter Broady, 4256 Ledbetter, Mphs, TN 38109

ADJOURNED MEETING AT 7:42 P.M.

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records